

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Establishment – Engineering – PH&ME Department – Panel of Executive Engineers for the year 2006-07 - Recommendation of Review DPC held on 24.11.2014 for inclusion the name of Sri E.Sudhakara Rao, Executive Engineer in the panel for notional promotion in the category of Superintending Engineer w.e.f.27.02.2007 – Approved – Orders – Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (C) DEPARTMENT  
**G.O.MS.No. 251** **Dated:26.12.2014**  
**Read the following:-**

1. G.O.Ms.No.105, MA&UD (C) Department, Dated:23.02.2007.
2. G.O.Rt.No.1009, MA&UD (C) Department, Dated:10.08.2011.
3. From the Hon'ble APAT, Hyderabad, Orders Dt. 12.12.2012 in O.A.No.7914/2012.
4. From the Hon'ble High Court of A.P., Hyderabad, Orders in W.P.No.8289/2013, Dt.12.03.2014.
5. Representation of Sri E.Sudhakara Rao, Executive Engineer, Dt.22.03.2014.
6. From the Hon'ble APAT, Hyderabad, Orders Dt. 03.07.2014 in O.A.No.133/2014.
7. U.O.Note No.19713/DPC.I/2014-2, General Administration (DPC) Department, Dated:25.11.2014.

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**ORDER:**

In the G.O. 1<sup>st</sup> read above, Government have issued orders, approving the names of certain Executive Engineers of Public Health and Municipal Engineering Department in the panel for the year 2006-07 for promotion to the category of Superintending Engineer(PH), as recommended by the Departmental Promotion Committee in its proceedings Dt.12.02.2007. In the said panel, the name of Sri V.Krishna Rao, Executive Engineer who is junior to Sri E.Sudhakar Rao has been included at Sl.No.21, was deferred. Consequent on dropping of charges, Sri V.Krishana Rao, Executive Engineer has been promoted as Superintending Engineer notionally with effect from 27.02.2007 vide G.O.Rt.No.306, MA & UD (C) Department, 27.02.2008. The case of Sri E.Sudhakara Rao was not considered by the Committee, as his name was not figured in the seniority list of Executive Engineer, since he was holding the post of Deputy Executive Engineer at that time.

2. In the G.O. 2<sup>nd</sup> read above, orders were issued considering the case of Sri E.Sudhakar Rao, Deputy Executive Engineer as Executive Engineer notionally with effect from 14.08.2003 in the panel year 2002-03.

3. Consequent on promotion as Executive Engineer, Sri E. Sudhakara Rao has filed an O.A. No.7941/2012 in APAT requesting the Tribunal to set-aside the punishment imposed vide G.O.Rt.No.28, MA&UD (Vig.IV-I) Departemnt, Dt.07.01.2012 which was set-aside by the Hon'ble Tribunal in OA No. 1436/2012. In the reference 3<sup>rd</sup> above, the Hon'ble APAT have issued final orders on 12.12.2012 stating that:-

"the seniority list of Executive Engineers eligible for the post of Superintending Engineers was prepared, his name did not appear in the list for the reason that a charge was pending against him which was framed through GO Rt. No.431, MA &UD (Vig.IV-1) Department, Dt.12.04.2006. The same was appealed by the applicant by filing OA No.1436/2012, which was allowed and the punishment was set aside. His immediate junior was promoted as Superintending Engineer on 27.02.2008 with effect from 27.02.2007 through G.O. Rt.No.306 of MA &UD (C) Department. Keeping it in view the directions of the Government in Memo No.424, Dt.25.05.1976, he is eligible for promotion notionally from the date when his immediate junior was promoted. Hence, in view of the same, the Respondents are directed to consider the case of the applicant for promotion to the post of Superintending Engineer from 27.02.2007 notionally, the date on which his immediate junior was promoted, within a period of eight weeks from the date of receipt of a copy of this order. The OA is accordingly allowed".

4. Aggrieved by the orders in O.A.No.7941/2012, the respondents have filed WP No.8289/2013 and the Hon'ble High Court dismissed the same vide order dt.12.03.2014 in the reference 4<sup>th</sup> read above.

[P.T.O.]

5. Subsequently, Sri E. Sudhakara Rao, Executive Engineer has filed another OA No.133/2014 to consider promotion to the post of Superintending Engineer, as he is eligible and qualified for promotion as Superintending Engineer. In the reference 6<sup>th</sup> read above, the Hon'ble APAT have issued final orders on 03.07.2014 stating that:-

"the orders of the Tribunal in OA No.7941/2012 are very specific with a finding that the applicant is eligible for promotion notionally from the date when his immediate junior was promoted. Hence, the respondents were directed to consider the case of the applicant for promotion to the post of Superintending Engineer from 27.02.2007 notionally, the date on which his immediate junior was promoted, within eight weeks from the date of receipt of a copy of this order. Against the orders in OA No.7941/2012, the respondents filed WP No. 8289/2013 and the Hon'ble High Court dismissed the same vide order dt.12.03.2014. In view of the same, the matter has become final and hence, this OA is disposed of with a direction to the respondents to promote the applicant notionally from the date on which his immediate junior was promoted, within a period of six weeks from the date of receipt of a copy of this order".

6. In view of the Court orders read at paras 3 to 5 above, Government have placed the matter before the Departmental Promotion Committee to review the panel of Executive Engineer for the panel year 2006-07, considering to include the candidature of Sri E.Sudhakara Rao, Executive Engineer for notional promotion to the post of Superintending Engineer on par with his juniors i.e., 27.02.2007.

7. In the U.O. Note 7<sup>th</sup> read above, the Proceedings of the meeting of the Review Department Departmental Promotion Committee, held on 24.11.2014 were communicated, wherein, it was recommended that "the name of Sri E.Sudhakara Rao, Executive Engineer be included at Sl.No.20(a), between the names of Sri A.B.Khalellullah (Sl.No.20) and Sri V.Krishna Rao (Sl.No.21) in the panel of Executive Engineer for the panel year 2006-07, while deleting the name of Sri R.Yella Reddy (last person included in the panel) in terms of orders issued in G.O.Ms.No.62, General Administration (DPC-I) Department, dated 08.02.1989, for notional promotion in the category of Superintending Engineer, PH, MA & UD on par with his junior, subject to directions/outcome of OAs/WPs/Was/RPs/CAs etc., if any pending before the Tribunal/Courts etc."

8. Government, after careful examination of the matter, hereby include the name of Sri E.Sudhakara Rao, Executive Engineer as Sl.No.20(a), between the names of Sri A.B.Khalellullah (Sl.No.20) and Sri V.Krishna Rao (Sl.No.21) in the panel of Executive Engineer for the year 2006-07, duly deleting the name of Sri R.Yella Reddy (last person included in the panel of 2006-07) in terms of orders issued in G.O.Ms.No.62, General Administration (DPC-I) Department, dated 08.02.1989, for notional promotion in the category of Superintending Engineer, Public Health and Municipal Engineering Department on par with his junior.

9. Accordingly, Government also hereby order to promote Sri E.Sudhakara Rao, Executive Engineer as Superintending Engineer, PH & ME Department notionally with effect from 27.02.2007 i.e., the date of promotion of his junior Sri V.Krishna Rao, under Rule 10(a) of A.P. State and Subordinate Service Rules, subject to directions/outcome of OAs/WPs/Was/RPs/CAs etc., if any pending before the Tribunal/Courts etc.

10. The Engineer -in-Chief (PH), PH&ME Department, GoAP, Hyderabad shall take necessary action accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

GIRIDHAR ARAMANE

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer -in - Chief (PH), PH&ME Department, GoAP, Hyderabad.

The individual concerned through the Engineer -in-Chief (PH), Hyderabad.

Copy to:

The General Administration (DPC) Department, A.P. Secretariat, Hyderabad.

The Accountant General, A.P, Hyderabad.

SF/SC.

//Forwarded :: By Order//

SECTION OFFICER